

Ballot Measure 2

Initiative To Legalize Marijuana

BALLOT QUESTION

This bill would remove civil and criminal penalties under state law for persons 21 years or older who grow, use, sell or give away marijuana or hemp products. State or local government could not require a permit or license for personal cultivation or distribution of marijuana, but could regulate marijuana like alcohol or tobacco. It removes all existing state restrictions on prescription of marijuana by a doctor for all patients, including children. It allows for laws limiting marijuana use in public and to protect public safety.

SHOULD THIS INITIATIVE BECOME LAW?

YES ☐

NO ☐

BALLOT MEASURE SUMMARY

Prepared by the Legislative Affairs Agency

Provides that a person 21 years of age or older may not face civil or criminal penalties in most cases that relate to their having, using, providing, and making hemp. Provides that a person 21 years of age or older may not be required to get a permit to use hemp in most cases. Defines hemp as marijuana and all forms of the cannabis plant. Defines other terms that relate to hemp. Allows laws that restrict persons less than 21 years of age from having hemp intoxicating products. Allows laws that restrict persons less than 21 years of age from the use of hemp intoxicating products. Allows laws that restrict the sale or transfer of hemp intoxicating products to persons less than 21 years of age. Allows laws that limit the use of hemp intoxicating products and the operation of motor vehicles. Allows laws that limit the use of hemp intoxicating products and engaging in conduct that affects public safety. Allows laws that limit the use of hemp intoxicating products in a public place. Allows a physician to prescribe hemp to a patient. Restricts laws that place special limits or fees on the makers of hemp medicines. Restricts laws that place special limits or fees on the makers of hemp nutritional products. Restricts laws that place special limits or fees on the makers of hemp industrial products.

STATEMENT IN SUPPORT

This initiative will remove the threat of fines and prison for people over 21 who possess, grow, use, or buy marijuana. Use by minors will still be prohibited. The initiative allows the Alaska Legislature or cities to limit or prohibit marijuana use in public, and reaffirms laws against driving under the influence of marijuana.

The Legislature and localities could enact other restrictions, such as maximum amounts of marijuana individuals could possess.

Prohibiting marijuana causes many problems:

- Prohibition creates a black market with profits for illegal dealers, fueling crime and corruption. Illegal drugs are more accessible to kids; drug dealers don't ask for ID.
- Prohibition is expensive. A new economic study found approximately \$16 million in annual law enforcement, courts, and corrections system costs for marijuana enforcement to the State of Alaska.
- Lost wages, family and social service costs, and secondary costs to the justice system take at least another \$8 million.
- Laws against marijuana use don't significantly reduce its use - prohibition actually doesn't work.
- In Alaska, we have another important reason to reject prohibition: the Court of Appeals found in 2003 and 2004 that the current law violates the privacy right in the Alaska Constitution.

Personal choices and public policies about marijuana should be based on scientific facts and common sense. Many U.S. and international experts have examined the issue, and all have concluded that marijuana use itself causes very few problems for individual users or for society. People who consider using marijuana should have accurate information on its effects. We would save State funds by not arresting peaceful, otherwise law-abiding citizens who exercise their constitutionally protected right to use marijuana. These funds could be spent on effective programs to educate and support kids and adults in making responsible choices, or for other worthy causes.

The initiative allows the Legislature to regulate marijuana as we do alcohol and tobacco. This means that the State could tax and control commercial sales of marijuana, generating millions of dollars annually in tax revenues. The initiative does not spell out how the State might tax and regulate marijuana, it simply allows the Legislature to decide.

Passing this initiative will send a strong message to the Legislature to reform Alaska's marijuana laws. The Court of Appeals reaffirmed that Alaskan adults may possess up to four ounces. Their decision, while an improvement over total prohibition, leaves important regulatory issues undecided, including legal access to their approved medication for medical marijuana users. This initiative offers a comprehensive, logical model to bring state law into line with the Court's ruling.

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The initiative could allow development of new, non-intoxicating hemp product industries, and provide economic opportunities for Alaskans. Hemp's fibers, seeds and oil are used abroad to manufacture thousands of products.

In sum, marijuana prohibition doesn't work, is expensive, hurts otherwise law-abiding citizens, threatens the privacy rights of all Alaskans, and prevents developing a clean, renewable natural resource.

Vote "Yes!" on Proposition 2!

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David Finkelstein, Former Alaska State Legislator

Bill Parker, Former Alaska State Legislator and retired Deputy Commissioner, Alaska Dept. of Corrections

STATEMENT IN OPPOSITION

Marijuana is the most widely used illicit drug among America's youth. This proposition allows not only the possession of marijuana, but also its distribution and sale.

Alaskans have seen this debate before. In 1975, Alaska's Supreme Court held that under the State Constitution an adult could possess marijuana for personal consumption in the home. The Court's ruling became a green light for marijuana use.

A 1988 University of Alaska survey showed that Alaska teenagers used marijuana at more than twice the national average for their age group. The report also showed a frequency of marijuana use that suggested it wasn't just experimental, but a well-incorporated practice for teens.

Alaskans voted in 1990 to recriminalize possession of marijuana. In 1998 voters allowed the "medical" use of marijuana. However, this initiative was refined by the Alaska Legislature in 1999 to limit its application and enable Alaska's drug laws to be enforced. Still not satisfied with the limited use for "medical" purposes, marijuana proponents again asked in 2000, and Alaska voters rejected, a return to unregulated marijuana use.

Adding an illicit drug to the legion of over-the-counter and prescription drugs is not a reason to support this measure. There is no marijuana "quality control". Marijuana today is far more potent than it was 30 years ago. Marijuana is not a benign drug. Use impairs learning and judgment and may lead to the development of mental health problems.

Marijuana can be addictive. It is frequently combined with other illicit drugs or alcohol, which further impairs the user's abilities and judgment. It presents many of the same respiratory complications as smoking tobacco. Any medical benefits from the active ingredient in marijuana, THC, can be obtained from legally prescribed medication. There is no good pharmaceutical reason for decriminalizing marijuana. It remains an illegal substance at the federal level and should remain the controlled substance it is at the State level.

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